

LICENSING SUB COMMITTEE (SEV'S)

TUESDAY, 12TH JUNE, 2012

PRESENT: Councillor S Armitage in the Chair
Councillors B Gettings and G Hussain

11 Election of the Chair

RESOLVED – That Councillor Armitage be elected Chair of the meeting

12 Exempt Information - Possible Exclusion of the Press and Public

The Sub Committee felt that the hearing should be held in the public domain and agreed that wherever possible, specific reference to the contents of the exempt information contained within Appendix B of the report should not be referred to, however if it became necessary, the public and press would be excluded from the meeting as follows:

RESOLVED – That the public be excluded from the meeting during consideration of that part of the agenda designated as exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information as contained in Appendix B of the report referred to in minute 15 both in terms of Regulation 14 of the Licensing Act 2003 (Hearing Regulations 2005) and the Licensing Procedure Rules, and on the grounds that it is not in the public interest to disclose the contents as the information therein pertains to an individual and that person would not reasonably expect their personal information or discussions thereon to be in the public domain.

13 Late Items

No formal late items of business were added to the agenda.

14 Declarations of Interest

There were no declarations of interest.

15 "Purple Door" - Application for the grant of a sex establishment licence for: Purple Door, 5 York Place, Leeds LS1 2DR

The Licensing Sub Committee considered the report of the Head of Licensing and Registration on an application made under Section 2 (Schedule 3) of the Local Government (Miscellaneous Provisions) Act 1982 for the grant of a sex establishment licence. The application had been made by Ruby May Holdings (2) Limited of Unit 40 Low Friar House, Low Friar Street, Newcastle Upon Tyne for premises known as 'Purple Door', 5 York Place, Leeds LS1 2DR. The basement and ground floor is to be covered under the provisions of the licence. The proposed hours of operation are 10:00hrs until 06:30hrs Monday to Saturday and 12:00 noon until 06:30 on Sundays for the premises to be used as a sexual entertainment venue.

Appendix B of the report was exempt from publication under Access to Information Procedure Rule 10.4 (1, 2 & 3), and Regulation 14 of the

Licensing Act 2003 (Hearing Regulations 2005) however the Sub Committee resolved not to specifically discuss the exempt information to allow the hearing to be held in public.

The application attracted a total of 32 objections, 4 of which are from elected members, and one which has been received from a member of parliament. A further objection was received from Councillor Rebecca Charlwood which was counter signed by a further 19 elected members, 8 members of parliament, 1 member of European parliament, and 4 leaders of religious groups. Members noted that four letters of support had also been submitted. The Sub Committee noted that some of the objectors attended the hearing, but did not wish to speak. Members therefore resolved to consider the written submissions contained within the documents before them and proceed in the absence of the objectors and supporters.

Present at the hearing were

For Deep Blue

Mr P Whur – solicitor for the applicant
Mr Gourlay – Designated Premises
Supervisor
Mr R Etchells – witness

Observers (5)

Mr H Nejad
Mr L Wright
Ms M Connolly
Ms A Crowie
Mr G Snape

The applicant supplied additional documents in support of the application which included copies of management Policies relating to Dancers Welfare, Dancers Code of Conduct, Customers Code of Conduct, Fining Policy, Pricing Policy and Trade Union Details.

The Sub Committee heard from Mr Whur on behalf of the applicant who outlined the licensed history of the premises and, along with submissions from Mr Gourlay who also operated the Deep Blue premises, explained the management style of the premises and the movement between the two premises by the dancers, depending on number of patrons. Mr Whur also addressed matters relating to the external appearance, layout and capacity of the premises, advertising, safety and security, staff welfare, including fining and pricing policies, codes of conduct for customers and entertainers and he confirmed that vehicles would not be used to transport customers around the city. Mr Whur referred to the written objections, commenting that many objections related to the principle of such establishments on moral grounds or were specific to other premises located elsewhere in the city.

Mr Whur concluded the submission for the applicant by reiterating that this venue, with its modest capacity, operating practices and discreet appearance would not cause offence as the daytime use of the locality finished before the venue opened.

RESOLVED –

- a) To note the contents of both the written and verbal submissions
- b) To note that the application will be further deliberated on Friday 15th June 2012 – once all applications for the new Sex Establishment Licences to be issued under the terms of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and

Crime Act 2009) had been dealt with. The press and public will be excluded from those proceedings as it is in the public interest to allow the Members to have full and frank debate on the matter, as allowed under the provisions of the Licensing Procedure Rules. It was further noted that the decision of the Sub Committee would be made public at the end of the decision making process